

REMARKS

Claims 1-4, 6-7 and 12-13 are pending in this application, of which claims 1-4 and 6-7 have been amended and claims 12-13 are newly-added. Claims 5 and 8-11 have been canceled.

Claim 2 stands rejected under 35 USC §112, second paragraph, as indefinite.

Accordingly, claim 2 has been amended to correct the noted instances of indefiniteness, and the 35 USC §112, second paragraph, rejection should be withdrawn..

Claims 5, 7, 8, 9/5, 9/708, 10/5, 10/7-8, 11/5 and 11/7-8 stand rejected under 35 USC §103(a) as unpatentable over Appelquist et al. in view of U.S. Patent 5,375,654 to Hougland et al. (hereinafter "Hougland et al.").

Applicants respectfully traverse this rejection.

Hougland et al. has been cited for teaching two distinct fluids flowing in opposite directions. Regarding claims 9-11, the Examiner has urged:

Appelquist et al. teaches (col. 2, lines 45-56; col. 3, lines 4-25 for example) that the projections are to increase turbulence affecting heat transfer, and the depth of the projections also affects heat transfer. Accordingly, the number of and specific arrangement of the projections are considered obvious matters of design dependent on the degree of heat transfer desired as well as selectively reducing or increasing turbulence. [Sic.]

Applicants respectfully disagree. Neither of the cited references teaches, mentions or suggest that the number and/or depth of the projections differs depending on whether the projections are disposed on the exit or entrance side of the wafer, as recited in various ways in claims 9-11 of the instant application.

Accordingly, claims 5, 8 and 9 have been canceled and their limitations added to claim 1. New claims 12 and 13 have been added, which are identical to amended claim 1, except they include the limitations of claims 10 and 11, respectively, in place of claim 9. Claims 2-4 and 6-7 have been amended to depend from "any one of claims 1, 12 and 13", if you so approve.

Thus, the 35 USC §103(a) rejection should be withdrawn.

Claims 6 and 9-11/6 stand rejected under 35 USC §103(a) as unpatentable over Appelquist et al. and Hougland et al. and further in view of U.S. Patent 4,554,969 to Carnavos (hereinafter "Carnavos").

Applicants respectfully traverse this rejection.

Carnavos discloses a coaxial finned heat exchanger. The heat exchanger comprises a hollow shell (10), a tube (14) mounted coaxially within such shell and having radially extending outer fins (16) of substantially large radial dimension in relation to the tube diameter.

As noted above, none of the cited references teaches, mentions or suggests the limitations of claims 9-11, as noted above.

Thus, the 35 USC §103(a) rejection should be withdrawn.

In view of the aforementioned amendments and accompanying remarks, claims 1-4, 6-7 and 12-13, as amended, are in condition for allowance, which action, at an early date, is requested.

U.S. Patent Application Serial No. 10/728,788
Response to Office Action dated November 2, 2004

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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